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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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David A. Monroe

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EXAMINER

TRAORE, FATOUMATA

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/719,792	Applicant(s) MONROE, DAVID A.	
	Examiner FATOUMATA TRAORE	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-11 and 13-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-11, 13-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 4th, 2008 has been entered. Claims 1, 3, 9-11, 19, 21 and 31-33 have been amended. Claims 7 and 12 have been cancelled. Claims 1-6, 8-11 and 13-40 are pending and have been considered below.

Claim Objections

2. In light of the amendment to claims 1, 3, 9-11, 19 and 31-33 the objection to the claims has been withdrawn.

3. In light of the cancellation to claim seven, the objection to claim 7 has been withdrawn.

Claim Rejections - 35 USC § 112

4. In light of the argument presented by applicant the 112 rejection has been withdrawn.

Response to Arguments

5. Applicant's arguments with respect to claims 1-6, 8-11 and 13-40 have been considered but are moot in view of the new ground(s) of rejection.

6.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-6, 9-10, 13, 19-24 and 31-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Kyle (US 6,853,739).

Claims 1, 19 and 32: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal, the IP signal being transmitted over an IP network (abstract), the system comprising:

the at least one camera having an image collection device configured for collecting image data (*the video engine 32 performs the image capturing, compression and/ or digitization of the image from the live video feed (column 3, lines 15-60; column 9, lines 25-45; lines 49-56) (column2, lines 55-60; Fig. .4),* the at least one camera having an analog to digital converter in communication with the image collection device for converting collected image data from analog format to digital format image data (*the video engine 32 performs the image capturing, compression and/ or digitization of the image from the live video feed (column 3, lines 15-60; column 9, lines 25-45; lines 49-56) (column2, lines 55-60; Fig. 4),* the at least one camera having at least one processor in communication

with the analog to digital converter for receiving the digital format image data (*the video engine 32 performs the image capturing, compression and/ or digitization of the image from the live video feed (column 3, lines 15-60; column 9, lines 25-45; lines 49-56) (column2, lines 55-60; Fig. .4)*), the at least one processor being configured for executing with the digital format image data at least one facial recognition algorithm (*biometric recognition software residing on the CPU) (column 11, 5-30)*, execution of the at least one facial recognition algorithm producing at least one set of facial image data (*face recognition system including a process for face recognition) (column 11, lines 10-30)*), the at least one processor being configured for executing with the digital format image data at least one compression algorithm, execution of the at least one compression algorithm producing at least one set of compressed image data (*the camera server device 30 then converts each photographic frame into a compressed digital file, such as a JPEG, MPEG, Bitmap or Wavelet file) (column 10, lines 25-30)*), the at least one camera having a network protocol stack for transmitting the at least one set of facial image data and the at least one set of compressed image data to the IP network (*the camera server device 30 sends the compressed digital files to the requesting central processing server 34 via a TCP/IP protocol or similar network protocol for further processing) (column 10, lines 30-37)*).

Claim 2: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 1 above, and further discloses the

system further comprises a server in communication with the IP network, the server being remote from the camera, the server receiving the at least one set of facial image data (*files may be shared between databases at remote locations using any common data communications medium, including the Internet*) (column 13, lines 60 to column 14, line 5).

Claim 3: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 2 above, and further discloses that the server being in communication with at least one facial image database (template), the server being in communication with at least one facial signature processor, the at least one facial signature processor being configured to compare the at least one set of facial image data with the at least one facial image database (*column 14, lines 55 to column 15, line 45; Fig. 10*).

Claims 4, 21 and 35: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claims 1, 19 and 32 above, and further discloses that the at least one facial recognition algorithm including at least one facial separation algorithm, the at least one facial separation algorithm when executed producing at least one set of facial separation data, the at least one set of facial image data including the at least one set of facial separation data(*column 11, lines 1-30; column 13, line 30 to column 14, line 4*).

Claim 5: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 1 above, and further discloses a plurality of cameras in communication with the IP network for collecting image

data at distributed locations) (*column 13, lines 60 to column 14, line 5; Fig. 3, item 30 and Fig. 4*).

Claim 6: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 5 above, and further discloses a server in communication with the IP network, the server being remote from the plurality of cameras, the server receiving from each camera respective of the at least one set of facial image data (*column 12, lines 1-10*).

Claim 9: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 1 above, and further discloses that a remote station in communication with the IP network, the remote station receiving the at the at least one set of compressed image data (*(Face Identification) file. The F.I.D. files may be shared between databases at remote locations using any common data communications medium, including the Internet*) (*column 13, line 60 to column 14, line 5*), the remote station being configured to display the at least one set of compressed image data (*the time and date of verification is displayed together with two images*)(*column 15, lines 48-55*).

Claims 10 and 31: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claims 9 and 21 above, and further discloses that the remote station receiving the at least one set of facial image data, the remote station being in communication with at least one facial image database, the remote station being in communication with at least one facial signature processor, the at least one facial signature processor being configured

to compare the at least one set of facial image data with the at least one facial image database, the remote station being configured to display a result provided by the at least one facial image processor (*column 14 line 4 to column 15, lines 45-67; Fig. 10*).

Claim 13: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 1 above, and further discloses an access control device in communication with the IP network, the access control device being responsive to an activation signal, the control device being activated upon confirmation of identity between the at least one set of facial image data and data in a facial image database (*Fig 9*).

Claims 20 and 34: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claims 19 and 32 above, and further discloses a housing, the housing commonly supporting the image collection device, the at least one analog to digital converter, the at least one facial recognition algorithm, the at least one processor, the at least one compression algorithm, and the internet protocol network stack (*column 8, lines 30-55, Fig. 3 and Fig. 4*).

Claims 22 and 36: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claims 21 and 35 above, and further discloses the at least one facial recognition algorithm including at least one facial signature algorithm(*column 13 line 60 to column 14, line 5*); the at least one processor being in communication with at least one facial

signature database to obtain from the at least one facial signature database a plurality of sets of reference facial separation data, execution of the at least one facial signature algorithm comparing the at least one set of facial separation data and the plurality of sets of reference facial separation data to identify correlations between the at least one set of facial separation data and the plurality of sets of reference facial separation data (*column 11, lines 1-30*).

Claim 24: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 22 above, and further discloses wherein the at least one facial signature database is stored in remote media at a location remote from the camera, the remote media being in communication with the internet protocol network, the plurality of sets of reference facial separation data being provided from the remote media to the camera over the internet protocol network (*column 13, line 60 to column 14, line 5*).

Claim 33: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 32 above, and further discloses at least one compression algorithm embodied in suitable media, the at least one compression algorithm being executable with the digital format image data by the at least one processor, execution of the at least one compression algorithm producing at least one set of compressed image data (*the camera server device 30 then converts each photographic frame into a compressed digital file, such as a JPEG, MPEG, Bitmap or Wavelet file*) (*column 10, lines 25-30*), the network stack being configured to transmit the at least one set of compressed image data

to the internet protocol network (*the camera server device 30 sends the compressed digital files to the requesting central processing server 34 via a TCP/IP protocol or similar network protocol for further processing*) (column 10, lines 30-37).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kyle (US 6,853,739) in view of Hamid et al (US 7,200,755).

Claim 8: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 2 above, but does not explicitly disclose that the server being in communication with a third party database for at least one of sending, receiving, and both sending and receiving facial image data to a third party. However, Hamid et al discloses a system for providing gated access to third party, which further discloses the server being in communication with a third party database for at least one of sending, receiving, and both sending and receiving facial image data to a third party (column 4, lines 43-55). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to

communicate with a third party database. The motivation of doing so would have been to provide gate access to a secure entity or service as taught by Hamid el al (column 1, lines 5-10).

11. Claims 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyle (US 6,853,739) in view of Morrisson (US 2004/0052450).

Claim 11: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 9 above, but does not explicitly disclose that wherein the remote station includes at least one of: a desktop computer, a portable computer, a PDA, and a wireless device. However, Morrisson discloses a surveillance system as in claim 1 above, and further discloses wherein the remote station includes at least one of: a desktop computer, a portable computer, a PDA, and a wireless device (paragraph [0075]). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to include at least one of a desktop computer, a portable computer, a PDA, and a wireless device at the remote station. The motivation of doing so would have been to provide a system for evaluating a security system in remote location.

Claim 23: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 22 above, but does not explicitly disclose that wherein the at least one facial signature database is stored in local media, the local media being located in the camera. However, Morrisson

discloses an optical ring architecture, which further disclose that wherein the at least one facial signature database is stored in local media, the local media being located in the camera (*paragraph [0040]*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to include a step of archiving data. The motivation of doing so would have been to provide a system for evaluating a security system in place at a facility as taught by Brooks et al (*paragraph [0006]*).

12. Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyle (US 6,853,739) in view of Brooks et al (US 2003/0210139).

Claim 14: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 9 above, but does not explicitly discloses that the remote station further including a system map database and a display monitor for displaying the system map, the system map including an icon for identifying the location of the camera. However, Brooks et al discloses system for improve security, which further discloses that the remote station further including a system map database and a display monitor for displaying the system map, the system map including an icon for identifying the location of the camera(*paragraph [0046]*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to include a tracking system. The motivation of doing so

would have been to provide a system for evaluating a security system in place at a facility as taught by Brooks et al (paragraph [0006]).

Claim 15: Kyle and Brooks et al disclose a surveillance system having at least one camera adapted to produce an IP signal as in claim 14 above, and Kyle further discloses a plurality of cameras in communication with the IP network for collecting image data at distributed locations) (*column 13, lines 60 to column 14, line 5; Fig. 3, item 30 and Fig. 4*).

Claim 16: Kyle and Brooks et al disclose a surveillance system having at least one camera adapted to produce an IP signal as in claim 15 above, and Brooks et al discloses further discloses a tracking system in communication with the remote station for tracking the progress of an individual as he moves from a field of view of a camera to a field of view of a subsequent camera (paragraphs [0040], [0044], [0045], [0051]). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to include a tracking system. The motivation of doing so would have been to provide a system for evaluating a security system in place at a facility as taught by Brooks et al (paragraph [0006])

Claim 17: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claim 2 above, and further discloses the at least one set of facial image data and the at least one set of compressed image data (*column 2, lines 55-60; Fig. 4*), but does not explicitly discloses a storage device in communication with the IP network for archiving archival data; the

archival data including least one of: the at least one set of facial image data and the at least one set of compressed image data. However, Brooks et al discloses a system for improved security, which discloses a storage device in communication with the IP network for archiving archival data, the archival data including least one of: the at least one set of facial image data and the at least one set of compressed image data (*paragraphs [0035], [0039], [0046]*).

Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to include a step of archiving data. The motivation of doing so would have been to provide a system for evaluating a security system in place at a facility as taught by Brooks et al (*paragraph [0006]*).

Claim 18: Kyle and Brooks et al disclose a surveillance system having at least one camera adapted to produce an IP signal as in claim 17 above, and Brooks et al further discloses a data mining system in communication with the IP network for mining the archival data (*paragraph [0039]*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to include a step of archiving data. The motivation of doing so would have been to provide a system for evaluating a security system in place at a facility as taught by Brooks et al (*paragraph [0006]*).

13. Claims 25-26, and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyle (US 6,853,739) in view of Peters et al (US 2002/0051061).

Claims 25 and 37: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claims 19 and 32 above, but does not explicitly disclose that the at least one set of compressed image data including at least one set of low resolution compressed image data having a respective low resolution and at least one set of high resolution compressed image data having a respective high resolution, the low resolution being less than the high resolution. However, Peters et al discloses an image monitoring system, which further discloses that the camera further comprising: the at least one set of compressed image data including at least one set of low resolution compressed image data having a respective low resolution and at least one set of high resolution compressed image data having a respective high resolution, the low resolution being less than the high resolution (*paragraphs [0005], [0006]*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to use a low and resolution compression techniques. The motivation of doing so would have been to minimize the cost of video monitoring.

Claims 26 and 38: Kyle and Peters et al disclose a surveillance system having at least one camera adapted to produce an IP signal as in claims 25 and 37 above, and Peters et al further discloses that the at least one set of low resolution compressed image data including MPEG data, the at least one set of high resolution compressed image data including JPEG data (*paragraph [0017]*). Therefore, it would have been obvious to one of ordinary skills in the art at the

time the invention was made to modify the teaching of Kyle such as to use a low and resolution compression techniques. The motivation of doing so would have been to minimize the cost of video monitoring.

14. Claims 27 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyle (US 6,853,739) in view of Willis et al (US 6,584,082).

Claims 27 and 39: Kyle discloses a surveillance system having at least one camera adapted to produce an IP signal as in claims 19 and 32 above, but does not explicitly disclose that the network stack transmitting a portion of the at least one set of compressed image data according to multicast protocol. However, Willis et al discloses a system of for transmitting data over satellite, which further discloses that the surveillance camera further comprising: the network stack transmitting a portion of the at least one set of compressed image data according to multicast protocol (*column 5, lines 1-25*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle such as to provide data transmission according to a multicast protocol. The motivation of doing so would have been to reduce the number of transmission across the critical link to one, rather than requiring that multiple transmissions be made for each destination address as taught by Willis et al (*column 1, line 67 to column 3, line 2*).

15. Claims 28-30 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kyle (US 6,853,739) in view of Peters et al (US 2002/0051061) in further view of Willis et al (US 6,584,082).

Claims 28 and 40: Kyle and Peters et al disclose a surveillance system having at least one camera adapted to produce an IP signal as in claims 25 and 37 above, while neither of them explicitly discloses that the network stack transmitting the at least one set of low resolution compressed image data according to multicast protocol. However, Willis et al discloses a system of for transmitting data over satellite, which further discloses that the surveillance camera further comprising: the network stack transmitting a portion, of the at least one set of compressed image data according to multicast protocol (*column 5, lines 1-25*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle and Peters et al such as to provide data transmission according to a multicast protocol. The motivation of doing so would have been to reduce the number of transmission across the critical link to one, rather than requiring that multiple transmissions be made for each destination address as taught by Willis et al (*column 1, line 67 to column 3, line 2*).

Claim 29 Kyle and Peters et al and Willis et al disclose a surveillance system having at least one camera adapted to produce an IP signal as in claim 28 above, and Willis et al discloses further discloses that the surveillance camera further comprising: the network stack transmitting a portion of the network stack

transmitting the at least one set of high resolution compressed image data according to one of: multicast protocol and unicast protocol (*column 5, lines 1-25*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the teaching of Kyle and Peters et al such as to provide data transmission according to a multicast protocol. The motivation of doing so would have been to reduce the number of transmission across the critical link to one, rather than requiring that multiple transmissions be made for each destination address as taught by Willis et al (column 1, line 67 to column 3, line 2).

Claim 30: Kyle and Peters et al disclose a surveillance system having at least one camera adapted to produce an IP signal as in claim 25 above , and Peters et al further discloses the network stack transmitting the at least one set of low resolution compressed image data including MPEG data according to multicast protocol, the network stack transmitting the at least one set of high resolution compressed image data including JPEG data according to one of: multicast protocol and unicast protocol. While nether of them explicitly discloses the use of a unicast or a multicast protocol. However, Willis et al discloses a system of for transmitting data over satellite, which further discloses that the surveillance camera further the use of a multicast and unicast protocol (*column 5, lines 1-25*). Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify the combined teaching of Kyle and Peters et al such as to provide data transmission according to a multicast protocol. The

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motivation of doing so would have been to reduce the number of transmission across the critical link to one, rather than requiring that multiple transmissions be made for each destination address as taught by Willis et al (column 1, line 67 to column 3, line 2).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fatoumata Traore whose telephone number is (571) 270-1685. The examiner can normally be reached Monday through Thursday from 7:00 a.m. to 4:00 p.m. and every other Friday from 7:30 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nassar G. Moazzami, can be reached on (571) 272 4195. The fax phone number for Formal or Official faxes to Technology Center 2100 is (571) 273-8300. Draft or Informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 270-2685.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-2100.

FT

Wednesday, August 13, 2008

/Nasser G Moazzami/

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Supervisory Patent Examiner, Art Unit 2136